

Notice of Resolution on File with the Jefferson County Clerk and Recorder and Notice of Public Hearing, Resolution No. 12-2020, Resolution to Increase Solid Waste Disposal Fees

NOTICE IS HEREBY PROVIDED by the Jefferson County Clerk and Recorder and in accordance with Mont. Code Ann. § 7-11-1025(5), a copy of Resolution No. 12-2020, Resolution to Increase Solid Waste Disposal Fees is on file in the office of the Jefferson County Clerk and Recorder, 102 South Monroe, Boulder, Montana, and is available for inspection during normal business hours.

FURTHER NOTICE IS PROVIDED the Board of Commissioners of Jefferson County, Montana will conduct a public hearing commencing at 2:00 p.m. on March 31, 2020 in the conference room of the Jefferson County Clerk and Records Office, 102 South Monroe, Boulder, Montana, and at this time will take public comment on and hear objections to Resolution No. 12-2020. Resolution 12-2020 seeks to increase solid waste fees by \$20.00 per year for each equivalent residential unit in the Jefferson County Solid Waste District; from \$129.69 to \$149.69 per year. Anyone wishing to offer objections to and comment on Resolution No. 12-2020 may do so in person at the public hearing, or may provide written comment or protests. **Written comment or protests must be received in the office of the Jefferson County Commission, 202 West Centennial, Boulder, Montana (mailing address - P.O. Box H, Boulder, MT 59634) no later than 5:00 p.m. on March 27, 2020.**

Further information on the action to be taken can be obtained from the from the office of the Jefferson County Commission, 202 West Centennial, Boulder, Montana, phone - 225-4025.

To be published - March 18 & 25, 2020.

RESOLUTION NO. 12-2020

RESOLUTION TO INCREASE SOLID WASTE DISPOSAL FEES

WHEREAS, Jefferson County's Solid Waste District encompasses the entire county and is administered by the Jefferson County Commission (Commission); and,

WHEREAS, the Jefferson County Solid Waste District was created prior to April 9, 2013; and,

WHEREAS, the Commission has determined the Montana City solid waste container site requires reconstruction as the site layout has become inadequate to accommodate the increased use of the site, and the volume and flow of traffic into and out of the site; and,

WHEREAS, in addition to the reconstruction costs for the Montana City site, the Commission has determined the current annual solid waste disposal fee charged for each "equivalent residential unit" (ERU) is inadequate to cover the increased costs of providing solid waste services, and to fund future replacement and acquisition of property, facilities, or equipment which cost in excess of \$5,000.00, and have a life expectancy of 5 years or more; and,

WHEREAS, under Mont. Code Ann. § 7-11-1025 (2011) the governing body of a solid waste district is required to estimate, as near as practicable, the cost of the district annually by the later of the second Monday in August or within 45 calendar days after received certified taxable values from the department of revenue.¹ The assessment is to be estimated at an amount equal to

¹ The 2013 amendment to Mont. Code Ann. § 7-11-1025 changed the date by which the governing body is to estimate the cost of established districts (to the "later of the first Thursday after the first Tuesday in September or within 30 calendar days after receiving certified taxable values from the department of revenue"). However, Section 13, Ch. 171, Laws 2013 contained an applicability clause which reads: "[This act] applies to special districts created on or after [the effective date of this act]. The act was effective April 9, 2013, and does not apply to the Jefferson County Solid Waste District. The law in effect prior to 2013 governs.

the annual cost of the program and improvements. Mont. Code Ann. § 7-11-1025(2); and,

WHEREAS, the current annual solid waste fee is \$129.69 per ERU. An ERU is deemed to be the amount of trash generated annually by a single-family residence, up to 3,000 pounds. Commercial users are assessed in ERU multiples. The commercial use ERU multiple is determined by the amount of solid waste generated by the business. Jefferson County has not increased its solid waste fee since 2002; and,

WHEREAS, the estimated amount necessary to fund the improvements at the Montana City container site, the annual operational costs of the solid waste program, and future capital improvements is estimated to be \$149.69 per ERU. This is an annual increase of \$20.00. Of this amount, \$15.58 will service the debt for reconstruction of the Montana City container site, and \$4.42 will fund increased annual operating costs and future capital improvements; and,

WHEREAS, the reconstruction of the Montana City container site will be paid for with a loan from the Montana InterCap Loan Program administered by the Montana Department of Commerce and will be repaid over a 15 year period; and,

WHEREAS, in order to continue the efficient and responsible operation of the Jefferson County Solid Waste District the Commission has determined the above referenced increase in solid waste fees is necessary; and,

WHEREAS, in accordance with Mont. Code Ann. § 7-11-1025(3) (2011), reference is made to the Jefferson County Tax Role Book which describes each lot or parcel of land assessed a solid waste fee, the name of the owner of the lot or parcel, and the current amount assessed. The Jefferson County Tax Role Book is on file and a matter of record in the Office of the Jefferson County Treasurer; and,

WHEREAS, pursuant to Mont. Code Ann. § 7-11-1025(5), on March 18, 2020 and March 25, 2020, the Jefferson County Clerk and Recorder caused notice to be published which provided a copy of Resolution No. 12-2020 was on file in the Jefferson County Clerk and Recorder's Office and available for inspection. The notice also provided for the date, time, and place Resolution No. 12-2020 was to be considered by the Commission and at which time objections to the final adoption of the resolution would be heard. The notice was published in accordance with Mont. Code Ann. § 7-1-2121; and,

WHEREAS, on March 31, 2020, the Commission held a public hearing regarding the increase in the solid waste fee and at his time considered public and written comments and protests; and,

WHEREAS, following public comment, and considering protests, the Jefferson County Commission voted to approve Resolution No. 12-2020, Resolution to Increase Solid Waste Disposal Fees.

NOW THEREFORE, BE IT RESOLVED, Resolution No. 12-2020, Resolution to Increase Solid Waste Disposal Fees is hereby approved and adopted.

IT IS FURTHER RESOLVED, the fees for the Solid Waste District are increased by \$20.00 per year from \$129.69 per year to \$149.69 per year for each "residential equivalent unit" (or multiple thereof) benefitted by the Solid Waste District to be effective for Fiscal Year 2020-2021 and all fiscal years thereafter; subject to annual review by the Jefferson County Commission as provided by law.

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Dated this ____ day of March, 2020.

Jefferson County, Montana

Leonard Wortman, Chair

Bob Mullen, Commissioner

Cory Kirsch, Commissioner

Attest:

Bonnie Ramey
Jefferson County Clerk and Recorder